

IC 13-27.5-2

Chapter 2. Indiana Clean Manufacturing Technology and Safe Materials Institute

IC 13-27.5-2-1

Establishment and operation

Sec. 1. A university or nonprofit corporation located in Indiana shall establish and operate the Indiana clean manufacturing technology and safe materials institute under this article.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-2

Application and selection of university or nonprofit corporation

Sec. 2. (a) The board shall select a university or nonprofit corporation to establish the institute. A university or nonprofit corporation that:

(1) is located in Indiana; and

(2) submits an application to the board;

must be considered for selection under this section.

(b) The board's selection of a university or nonprofit corporation shall be based on an objective application of criteria relating to the suitability of the university or nonprofit corporation as the establishing entity and site for the institute. The board shall adopt guidelines:

(1) governing the application and selection process; and

(2) setting forth the criteria to be applied in making the selection.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-3

Statement indicating services and programs offered

Sec. 3. The university or nonprofit corporation selected to establish and operate the institute shall submit to the board a statement indicating the types of services, programs, and priorities related to pollution prevention that the institute will offer.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-4

Biennial budget request

Sec. 4. The university or nonprofit corporation selected to establish and operate the institute shall, in cooperation with the director, develop and submit to the board for approval the institute's biennial budget request.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-5

Powers and duties

Sec. 5. (a) The institute:

(1) shall establish cooperative programs; and

(2) may contract duties authorized by the board;

with public and private colleges and universities designed to augment the implementation of this article. However, the institute shall maintain administrative and policy control over the work contracted under subdivision (2).

(b) The institute may establish fees, tuitions, or other financial charges for the programs of the institute.

(c) The institute shall do the following through the institute's programs:

(1) Develop and provide curriculum and training on clean manufacturing for:

- (A) students and faculty;
- (B) employees of the division;
- (C) manufacturing managers; and
- (D) employees of manufacturers.

(2) Engage in research, development, and demonstration of techniques and methods for clean manufacturing, including the following:

- (A) An assessment of the impact of adopting the methods on the environment, public health, and work exposure.
- (B) Assessments of the impact on profitability and employment within affected manufacturing companies and industries.

(3) Provide waste generators an opportunity to develop clean manufacturing plans.

(4) Develop methods to measure clean manufacturing progress at the plant level and the company level on the basis of reduction in waste generation and changes in toxic materials use relative to production output for specific wastes. This subdivision may not be construed to require a manufacturer to reveal the trade secrets of the manufacturer.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-6

Clean manufacturing planning programs

Sec. 6. (a) The institute shall establish and operate a planning program for individuals who desire to be qualified as clean manufacturing planners. Public and private colleges and universities located in Indiana may establish and operate programs for qualifying clean manufacturing planners. To ensure consistent training procedures, the institute shall provide a curriculum plan for qualifying clean manufacturing planners to colleges and universities that do not operate the institute.

(b) The programs established under this section shall be designed to train auditors to be qualified to:

- (1) assist manufacturers and manufacturer organizations in the development and implementation of the most up-to-date clean manufacturing techniques and practices; and

(2) prepare and review clean manufacturing plans referred to in IC 13-27.5-3.

(c) The institute shall qualify as a clean manufacturing planner an

individual who has successfully completed a clean manufacturing planning program.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-7

Assisting governmental agencies or manufacturers in developing methods for assessing progress

Sec. 7. The institute shall:

- (1) assist governmental agencies, manufacturers, and manufacturer organizations in developing methods and measurement techniques for assessing progress in clean manufacturing per unit of output; and
- (2) explore the development of personal computer software for these purposes.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-8

Assisting in training of inspectors or personnel

Sec. 8. If requested by the commissioner, the institute may assist in the training of inspectors and other key personnel employed by the division or the department in clean manufacturing concepts, methods, and technology.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-9

Annual reports

Sec. 9. (a) Before January 1 of each year, the institute shall prepare and submit to:

- (1) the governor;
- (2) the board;
- (3) the commissioner; and
- (4) the general assembly;

a report on the institute's operations and activities under this chapter including the status, funding, and results of all projects. A report submitted to the general assembly must be in an electronic format under IC 5-14-6.

(b) The report must do the following:

- (1) Include recommendations the institute has for legislation.
- (2) Identify state and federal economic and financial incentives that can best accelerate and maximize the research, development, demonstration, and support of clean manufacturing technologies and practices.
- (3) Include an assessment by the institute of the grants program administered by the department under IC 13-27-2.
- (4) Include a proposed work plan for the following year.
- (5) Identify state and federal policies that may serve as disincentives to the adoption of clean manufacturing technologies and practices by manufacturers.

As added by P.L.124-1997, SEC.22. Amended by P.L.28-2004, SEC.125.

IC 13-27.5-2-10**Activities and policies must address specific problems and be coordinated; grants**

Sec. 10. (a) The activities and policies of the institute must address specific problems involving a particular situation or condition affecting a manufacturer at production locations.

(b) The activities of the institute must be coordinated with the activities of other public and private programs that provide managerial and technical assistance to manufacturers, including programs operated by public and private educational institutions. The institute may make grants to public or private persons or associations to establish and operate elements of the program or to advance the goals of the institute's program.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-11**Written memorandum of understanding**

Sec. 11. The:

- (1) board;
- (2) institute; and
- (3) department;

may enter into a written memorandum of understanding describing the responsibilities of the board, the institute, and the department in coordinating grants under IC 13-27-2-10 and pilot projects under IC 13-27-2-11.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-12**Providing experts; assisting manufacturers in recycling techniques**

Sec. 12. (a) The institute may provide experts for:

- (1) onsite technical assistance;
- (2) economic advice; and
- (3) other managerial advice;

to manufacturers and industries needing assistance, including advice on planning for clean manufacturing and advice on clean manufacturing audits.

(b) The institute may assist a manufacturer as provided in subsection (a) to implement inprocess recycling techniques that involve onsite recycling processes that:

- (1) return a potential environmental waste directly to a production unit from which the waste originated using mechanical means that are an integral part of the production unit of concern;
- (2) are based on the production schedule of the production unit of concern; and
- (3) are consistent with accepted engineering practices.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-13**Studies; requirements**

Sec. 13. (a) The institute may conduct and publish studies regarding development and implementation of national, state, and local governmental policies and programs concerning the following:

- (1) Clean manufacturing.
- (2) Related policies and programs.

(b) Studies conducted under this section must review activities described in section 7 of this chapter by addressing the following:

- (1) Clarity and scope of definitions used in a policy.
- (2) Institutional features of a program.
- (3) Key policy instruments used to implement a policy or program, including the following:

(A) Information policy concerning the following:

- (i) Chemical usage and waste data and data on industry location and characteristics.
- (ii) Economic, organizational, and technological characteristics and dynamics of manufacturers or other institutions.

(B) Analytic policy concerning assessment of diffusion and innovation of clean manufacturing technologies and strategies, including those involving reducing the use of toxics.

(C) Education and assistance policy activities concerning the following:

- (i) Outreach programs.
- (ii) Training programs.
- (iii) University based programs.
- (iv) Analysis of planning requirements.
- (v) Other similar activities.

(D) Economic policy activities concerning positive and negative economic incentives and disincentives for clean manufacturing.

(E) Regulatory policy activities concerning regulatory intervention designed to achieve expeditious or more comprehensive industrial clean manufacturing, including the following:

- (i) Clean manufacturing regulatory review.
- (ii) Regulatory concessions for reducing the use of toxics.
- (iii) Expanded regulatory coverage of harmful materials.
- (iv) Enhanced enforcement.

(4) Program funding.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-14

Studies; identification of problems

Sec. 14. The institute shall:

- (1) conduct studies to identify problems encountered by manufacturers and governments attempting to implement multimedia clean manufacturing or related programs; and
- (2) recommend policies and programs to address these problems.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-15

Studies; state information clearinghouse for clean manufacturing; free use of data

Sec. 15. (a) The institute may do the following:

- (1) Establish programs for the study of private and nongovernmental clean manufacturing or related initiatives, proposals, and programs.
- (2) Review and assess national and international clean manufacturing technology innovation and diffusion.
- (3) Develop and promote involvement in studies concerning aspects of clean manufacturing that have an effect on changing institutions and values.
- (4) Recommend clean manufacturing policy instruments and concepts.
- (5) Develop curriculum to be used in elementary and secondary school programs.
- (6) Establish and operate a state information clearinghouse for clean manufacturing to do the following:
 - (A) Promote clean manufacturing statewide among all industries and companies.
 - (B) Assist in obtaining information on the progress of multimedia reduction of environmental wastes and related environmental policies and programs.

(b) The institute shall permit and facilitate free use of data gathered under subsection (a) by manufacturers, governmental agencies, and the general public. A manufacturer may not be required to submit information of a proprietary nature to the clearinghouse.

As added by P.L.124-1997, SEC.22.

IC 13-27.5-2-16

Public availability of studies and reports

Sec. 16. (a) Except as provided in subsection (c), the institute shall make any:

- (1) study;
- (2) report;
- (3) assessment; or
- (4) analysis;

prepared by the institute under sections 11 through 13 of this chapter available to the public.

(b) The institute may provide any document described in subsection (a):

- (1) free of charge; or
- (2) at a reduced charge;

to a person that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(c) The institute may not make information concerning a particular manufacturer available to the public through:

- (1) a study;

- (2) a report;
- (3) an assessment; or
- (4) an analysis;

conducted under sections 11 through 13 of this chapter unless the manufacturer has provided the institute written approval for the public release of the information.

As added by P.L.124-1997, SEC.22.